

Electronic and Projectile Weapons

*Telecourse DVD (New)
December 2005*

POST Course Control Number: **xxxx-30001-xx040***
CPT Hours: **2.0**
DVD Shipping Date: **12/23/05**
Reference Guide: **None**

Electronic and projectile weapons can provide the peace officer force option tools that, when used properly, provide safety for officers and subjects. When officers understand these weapons and what they can do, the more effective they become in arresting or controlling a combative subject.

This telecourse familiarizes officers with commonly used electronic and projectile weapons, raises officers' awareness of these weapons, their use, effectiveness, limitations, and necessary pre-planning. The program also addresses legal and liability aspects of using these weapons and emphasizes the importance of proper documentation and post-use care on subjects.

The Telecourse DVD offers three viewing options:

1. Play Telecourse in its entirety (105 min.)
2. Select among eight Telecourse segments:
 - Introduction (2 min.)
 - Overview - Deployment Considerations (12 min.)
 - Projectile Weapons and Munitions - Limitations and Restrictions (15 min.)
 - Electronic Weapons - Safety Considerations (17 min.)
 - Legal Aspects - Legal Use (14 min.)
 - Application Considerations - Deployment Considerations (16 min.)
 - Post-Use Care - Medical Treatment of Suspects (11 min.)
 - Documentation - Reporting Incidents (17 min.)
3. Select among seven Interaction (scenario) segments:
 - Hostile Traffic Stop - Taser Maintenance
 - 5150 Female - Initial and Recertification Requirements
 - Fleeing Suspect - Student Testing/Demo of Qualification
 - Domestic Violence Call
 - 5150 Male - Nonlethal Force
 - Hostile Traffic Stop - Pepper Ball Gun
 - 5150 Male - Lethal Force

* Specific to DVD only. The first four digits of the Course Control Number (xxxx) is the preassigned Telecourse Presenter Number specific to your agency; the tenth and eleventh digits (xx) are the fiscal year in which your agency presents this program. See website for detailed instructions.



53 Minutes - Monthly Edition DVD
December 2005

Case Law Today programs are released monthly on a single DVD containing a single month (6 total segments). Case Law Today programs are not accompanied by reference guides nor eligible for Continuing Professional Training (CPT) credit.

Constructive Possession: Do We Have a Case?

with William Bedsworth, Justice of the Court of Appeal, State of California
All possession statutes require proof that the defendant exercised "dominion and control" of the item in question. That is our definition of possession — not physical possession, but the exercise of dominion and control over the item. This gets tricky when we're talking about cases where the defendant doesn't have the object in his pocket. Justice Bedsworth uses United States v. Young to provide a summary of how this constructive possession thing works. *Case cited: United States v. Young (2005) 420 F3d 915. (7:38)*

Probable Cause Searches of Trunk

with Jeff Rubin, Alameda County District Attorney's Office
If police find drugs being transported in the passenger compartment of a vehicle, this generally will provide probable cause to believe more illegal drugs may be found in the trunk and allow for a search of the trunk under the "vehicle search" exception. *Cases cited: United States v. Ross (1982) 456 U.S. 798; People v. Hunter (2005) 133 Cal.App.4th 371; People v. Dey (2000) 84 Cal.App.4th 1318. (12:14)*

Miranda: More on Unequivocal Invocation of Right to Counsel

with Daniel Mc Nerney, Superior Court Judge, State of California
Suspect being advised of their Miranda rights will occasionally ask clarifying questions regarding those rights. Such clarifying questions do not constitute a "clear and unambiguous" invocation. *Cases cited: People v. Stitley (2005) 35 CA 514; People v. Roquemore (2005) 131 CA4 11; People v. McMahon (2005) 131 CA4 80; Davis v. United States (1994) 512 U.S. 452. (9:31)*

Searching Abandoned Property

with Jeff Rubin, Alameda County District Attorney's Office
If an item is intentionally or accidentally left at the crime scene, it may be deemed "abandoned" and there is no reasonable expectation of privacy in its contents and it may be searched with or without probable cause. This video discusses the factors that go into determining when an item will be deemed abandoned and focuses on a case where a cell phone was left at the crime scene. *Cases cited: People v. Daggs (2005) 133 Cal.App.4th 361; In re Baraka H. (1992) 6 Cal.App.4th 1039. (11:33)*

Deliberate Ignorance: Forget It

with William Bedsworth, Justice of the Court of Appeal, State of California
One of the most basic elements of any possession charge is that the defendant knew he had contraband. There is, however, an exception to this requirement. A possession charge can be supported by proof the defendant thought it was probable he possessed contraband, but deliberately avoided finding out so he could claim ignorance if charged. *Cases cited: United States v. Heredia (2005) DJDAR 12627; United States v. Jewell (9th Circuit, 1976) 532 F2d 697. (7:12)*

Flight as "Willful Resistance" Under PC §148.10

with Jeff Rubin, Alameda County District Attorney's Office
Flight from an officer attempting a lawful detention or arrest constitutes "willfully resisting" for purposes of the statute prohibiting willfully resisting a peace officer in the discharge of his duties where such resistance proximately cause serious bodily injury or death. *Case/Statute cited: People v. Superior Court (Ferguson) (2005) 132 Cal.App.4th 1525; Pen. Code § 148.10. (4:04)*

More Information and Future Programs

Distribution and Ordering

DVDs are direct-mailed each month to POST-Certified Telecourse Presenters and Basic Academies in the California POST Program. Multiple copies of CPTN materials are available via automated direct-mail to eligible agencies with multiple training sites. See POST Bulletins #03-03 and #03-13 at www.post.ca.gov/bulletin/bulletins.asp for more information about DVD distribution/eligibility. Visit the CPTN website for complete CPTN information, video listings, and to order videos.

Telecourse CPT Credit

This month's Telecourse(s) and most previous Telecourses are eligible for continuing professional training (CPT) credit if facilitated by a POST-Certified Telecourse Presenter. Certified Presenters of POST Advanced Officer Courses or Skills and Knowledge Modular training courses may also use the Telecourses as part of those courses. POST-Certified Telecourse Presenters seeking CPT credit for trainees must document Telecourse attendance on POST Course Roster (Form 2-111). For detailed instructions on completion of the Telecourse Course Roster, visit www.post.ca.gov/training/cptn/credit.asp. Call the POST Training Delivery Bureau at 916.227.4866 for more information about Telecourse CPT credit.

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Future Program Releases

2006 Legal Update (Jan. 2006)

Case Law Today - Monthly DVD Release (Jan. 2006)

Custodial/Courtroom Security (Feb. 2006)

Case Law Today - Monthly DVD Release (Feb. 2006)

Legal Aspects of Terrorism (Mar. 2006)

Case Law Today - Monthly DVD Release (Mar. 2006)